

AMENDED IN ASSEMBLY AUGUST 12, 1996

AMENDED IN ASSEMBLY JULY 1, 1996

AMENDED IN ASSEMBLY JUNE 19, 1996

SENATE BILL

No. 1498

Introduced by Senator Kopp

February 8, 1996

An act to amend Section 22511.55 of, and to add Section 22511.58 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1498, as amended, Kopp. Vehicles: disabled person: parking privileges.

Under existing law, the Department of Motor Vehicles may require a person applying for a disability placard for parking purposes to submit a certificate from specified medical professionals substantiating the person's disability.

This bill would require, rather than authorize, the department to require the applicant to submit such a certificate, *prior to the issuance of an original distinguishing placard*, and would require the certifying medical professionals to provide a full description of the illness or disability, except as specified. The bill would require the department to maintain this information in its records and make it available to eligible law enforcement or public parking control agencies, upon request. The bill would prohibit the department from providing that information to any private or other 3rd-party parking citation processing agency.

The bill would authorize local authorities to establish a review board or panel that includes a qualified physician or medical authority, to review information contained in applications for special parking privileges.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 22511.55 of the Vehicle Code is
2 amended to read:

3 22511.55. (a) (1) Any disabled person or disabled
4 veteran may apply to the department for the issuance of
5 a distinguishing placard. The placard may be used in lieu
6 of the special identification license plate or plates issued
7 under Section 5007 for parking purposes described in
8 Section 22511.5 when suspended from the rear view
9 mirror or, if there is no rear view mirror, when displayed
10 on the dashboard of a vehicle. It is the intent of the
11 Legislature to encourage the use of these distinguishing
12 placards because they provide law enforcement officers
13 with a more readily recognizable symbol for
14 distinguishing vehicles qualified for the parking
15 privilege. The placard shall be the size and color
16 determined by the department, shall bear the
17 International Symbol of Access adopted pursuant to
18 Section 3 of Public Law 100-641, commonly known as the
19 “wheelchair symbol.” The department shall incorporate
20 instructions for the lawful use of a placard, and a summary
21 of the penalties for the unlawful use of a placard, into the
22 identification card issued to the placard owner.

23 (2) (A) The department may establish procedures for
24 the issuance and renewal of the placards. The placards
25 shall have a fixed expiration date of June 30 every two
26 years. Whenever any application for a placard is
27 submitted to the department on or after January 1 of the
28 year of expiration, the fee shall be for the current and
29 subsequent renewal period.

30 (B) As used in this section, “year” means the period
31 between the inclusive dates of July 1 through June 30.



(C) Prior to the end of each year, the department shall, for the most current three years available, compare its record of disability placards issued against the records of the Bureau of Vital Statistics of the State Department of Health Services, or its successor, and withhold any renewal notices that otherwise would have been sent, for any placard holders identified as deceased.

(3) The fee for an original application or renewal application is six dollars (\$6).

(4) Except as provided in paragraph (5), no person is eligible for more than one placard at any time.

(5) Organizations and agencies involved in the transportation of disabled persons or disabled veterans may apply for a placard for each vehicle used for the purpose of transporting disabled persons or disabled veterans.

(b) Prior to issuing any disabled person or disabled veteran ~~a~~ *an original* distinguishing placard, the department shall require the applicant to submit a certificate signed by the physician or surgeon substantiating the disability, unless the applicant's disability is readily observable and uncontested. The disability of any person who has lost, or has lost use of, one or more lower extremities or both hands, or who has significant limitation in the use of lower extremities, may also be certified by a licensed chiropractor. The blindness of any applicant shall be certified by a licensed physician or surgeon who specializes in diseases of the eye or a licensed optometrist. The physician or person certifying the qualifying disability shall provide a full description of the illness or disability on the form submitted to the department.

The department shall maintain in its records all information on an applicant's certification of permanent disability and shall make such information available to eligible law enforcement or parking control agencies upon a request pursuant to Section 22511.58.

(c) (1) Any person who has been issued a distinguishing placard pursuant to subdivision (a) may apply to the department for a substitute placard without

1 recertification of eligibility, if that placard has been lost
2 or stolen.

3 (2) The fee for a substitute placard issued pursuant to
4 paragraph (1) is six dollars (\$6).

5 (d) The distinguishing placard shall be returned to the
6 department not later than 60 days after the death of the
7 disabled person or disabled veteran to whom the placard
8 was issued.

9 SEC. 2. Section 22511.58 is added to the Vehicle Code,
10 to read:

11 22511.58. (a) Upon a request to the department by a
12 local public law enforcement agency or local agency
13 responsible for the administration or enforcement of
14 parking regulations, the department shall make available
15 to the requesting agency any information contained in a
16 physician's certificate submitted to the department as
17 part of the application for a disabled person's parking
18 privileges, substantiating the disability of a person
19 applying for or who has been issued a parking placard
20 pursuant to Section 22511.55. The department shall not
21 provide the information specified in this subdivision to
22 any private or other third-party parking citation
23 processing agency.

24 (b) Local authorities may establish a review board or
25 panel, which shall include a qualified physician or
26 medical authority, for purposes of reviewing information
27 contained in the applications for special parking
28 privileges and the certification of qualifying disabilities
29 for persons residing within the jurisdiction of the local
30 authority. Any findings or determinations by a review
31 board or panel under this section indicating that an
32 application or certification is fraudulent or lacks proper
33 certification may be transmitted to the department or
34 other appropriate authorities for further review and
35 investigation.

